

§ 110.9

(e) Plants for the fabrication of nuclear reactor fuel elements and especially designed or prepared assemblies and components for these plants. (See Appendix O to this part.)

(f) Plants for the conversion of uranium and plutonium and especially designed or prepared assemblies and components for these plants. (See Appendix J to this part.)

(g) Plants for the production, separation, or purification of heavy water, deuterium, and deuterium compounds and especially designed or prepared assemblies and components for these plants. (See Appendix K to this part.)

(h) Plants for the production of special nuclear material using accelerator-driven subcritical assembly systems capable of continuous operation above 5 MWe thermal.

(i) Other nuclear-related commodities are under the export licensing authority of the Department of Commerce.

[61 FR 35602, July 8, 1996, as amended at 65 FR 70290, Nov. 22, 2000]

§ 110.9 List of Nuclear Material under NRC export licensing authority.

- (a) Special Nuclear Material.
- (b) Source Material.
- (c) Byproduct Material.
- (d) Deuterium.
- (e) Nuclear grade graphite.

[55 FR 30450, July 26, 1990]

§ 110.9a List of nuclear equipment and material under NRC import licensing authority.

- (a) Production and utilization facilities.
- (b) Special nuclear material.
- (c) Source material.
- (d) Byproduct material.

[49 FR 47198, Dec. 3, 1984. Redesignated at 55 FR 30450, July 26, 1990, and amended at 57 FR 18393, Apr. 30, 1992; 58 FR 13003, Mar. 9, 1993]

Subpart B—Exemptions

§ 110.10 General.

(a) In response to a request or on its own initiative, the Commission may grant an exemption from the regulations in this part, if it determines that the exemption:

- (1) Is authorized by law;

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(2) Is not inimical to the common defense and security; and

(3) Does not constitute an unreasonable risk to the public health and safety.

(b) An exemption from statutory licensing requirements, as authorized by sections 57d, 62, and 81 of the Atomic Energy Act, will be granted only after coordination with the Executive Branch.

(c) The granting of an exemption does not relieve any person from complying with the regulations of other Government agencies applicable to exports or imports under their authority.

[49 FR 47198, Dec. 3, 1984, as amended at 58 FR 13003, Mar. 9, 1993; 65 FR 70290, Nov. 22, 2000]

§ 110.11 Export of IAEA safeguards samples.

A person is exempt from the requirements for a license to export special nuclear material set forth in sections 53 and 54d. of the Atomic Energy Act and from the regulations in this part to the extent that the person exports special nuclear material in IAEA safeguards samples, if the samples are exported in accordance with § 75.42(e)(1) of this chapter, or a comparable Department of Energy order, and are in quantities not exceeding a combined total of 100 grams of contained plutonium, U-233 and U-235 per facility per year. This exemption does not relieve any person from complying with parts 71 or 73 of this chapter or any Commission order pursuant to section 201(a) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)).

[49 FR 47198, Dec. 3, 1984]

Subpart C—Licenses

SOURCE: 49 FR 47198, Dec. 3, 1984, unless otherwise noted.

§ 110.19 Types of licenses.

(a) Licenses for the export and import of nuclear equipment and material in this part consist of two types: General licenses and Specific licenses. Except as provided in paragraph (b) of this section, a general license is effective without the filing of an application with the Commission or the